28. The method of Claim 26 wherein the vitamin D analog is administered in combination with at least one of a bone agent, a cytotoxic agent, an immuno response regulating agent, and an anti-inflammatory agent.

29. The method of Claim 26 wherein the dog is fed from about 0.025 to about 500 nmol/kg of body weight of the dog per day of the vitamin D analog.

30. The method of Claim 26 wherein the dog is fed from about 0.025 to about 100 nmol/kg of body weight of the dog per day of the vitamin D analog.

C 2 Cont

31. The method of Claim 26 wherein the dog is fed from about 0.025 to about 10 nmol/kg of body weight of the dog per day of the vitamin D analog.

32. The method of Claim 26 wherein the dog is fed from about 0.025 to about 1.0 nmol/kg of body weight of the dog per day of the vitamin D analog.

33. The method of Claim 26 wherein the dog is fed a therapeutically efficacious dosage of the vitamin D analog.

34. A method of administering a pharmaceutical agent to a pet, wherein the agent comprises a vitamin D analog, said method comprising providing a pet food including the agent, and feeding the pet food to a pet. duplicate 26

35. The method of Claim 34 wherein feeding the pet food to a pet comprises producing a pharmaceutical agent from an admixture which includes at least one of a pharmaceutically acceptable organic carrier substance and a pharmaceutically acceptable inorganic carrier substance.

36. The method of Claim 35 wherein the pharmaceutically acceptable organic carrier substance and the pharmaceutically acceptable inorganic carrier substance include at least one of water, salt (buffer) solutions, alcohols, gum arabic, mineral and vegetable oils, benzyl alcohols, polyethylene glycols, gelatine, carbohydrates such as lactose, amylose or starch, magnesium stearate, talc, silicic acid, viscous paraffin, perfume oil, fatty acid monoglycerides and diglycerides, pentaerythritol fatty acid esters, hydroxy methylcellulose, and polyvinyl pyrrolidone.

37. The method of Claim 35 further comprising mixing the pharmaceutical agent with an auxiliary agent that includes one or more of lubricants, preservatives, stabilizers,

wetting agents, emulsifiers, salts for influencing osmotic pressure, buffers, coloring, flavoring and/or aromatic active compounds.

C2 cont'd

38. The method of Claim 34 wherein the vitamin D analog is selected from the group consisting of 1α,25-(OH)2D3, 1α,25-(OH)2-16-ene-23-yne-D3, and 1α,25-(OH)2-22,24-diene-24,26,27-trihomo-D3 and stereoisomers thereof. — duplicate 27

39. The method of Claim 34 wherein the dog is fed from about 0.025 to about 500 nmol/kg of body weight of the dog per day of the vitamin D analog. — duplicate 29

40. The method of Claim 34 wherein the dog is fed a therapeutically efficacious dosage of a vitamin D analog. — duplicate 26

REMARKS

Claims 1-12 and 18-40 are pending in the application. Claims 1-12 and 18-25 stand rejected. Claims 13-17 have been cancelled. Claims 26-40 are newly added.

A fee calculation sheet for the newly added claims along with authorization to charge a deposit account in the amount of the calculated fee are submitted herewith. Also submitted herewith are marked up Claims in accordance with 37 C.F.R. 1.121(c)(1)(ii).

It is respectfully submitted that the finality of the present Office Action is improper.

MPEP § 706.07(a) states that a second or subsequent office action on the merits shall be final except where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the Claims nor based on information submitted in an Information Disclosure Statement (IDS) filed during the period set forth in 37 C.F.R. §1.97(c). The 35 U.S.C. 103(a) rejection of Claims 6 and 18-22 constitutes a new rejection since it is a new ground of rejection that was neither necessitated by applicant's amendment of the claims nor based on information submitted in an Information Disclosure Statement. Therefore, Applicant respectfully submits that the finality of the present Office Action is improper and should be withdrawn.

The rejection of Claims 1-12 and 18-25 under 35 U.S.C. § 112, first paragraph, is respectfully traversed. Claim 1 has been amended to recite a "method of treating SCC 2/88, a canine squamous carcinoma cell line, for cancer". For the reasons set forth above, Claim 1 is submitted to overcome the Section 112 rejections.